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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (ST) NO. 9167 OF 2007
IN
WRIT PETITION NO. 2437 OF 2002

Popat Bhimrao Jadhav ... Applicant

V/s

1. The President,
Rashtriya Shikshan Sangh,
At-Post Siddewadi, Tal. Miraj,
Dist. Sangli; & ors. ... Respondents

Mr. M.A.Patil for the applicant.

Mr. A.P.Vanarase, A.G.P. for the respondent State.

Mr. S.S.Pakale for respondent Nos. 1 & 2.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 7TH SEPT., 2007.

P.C.:

1. The applicant in the civil application has a grievance that he was unable to complete the Postal D.Ed. Course within three years as directed by this Court by its order dated 31.3.2003. The reason for his inability is that the Postal D.Ed. Course was not conducted after admissions were closed on 10.9.2004. It is the applicant's case that his proposal was not sent within time to the authorities by the original

petitioners i.e. the respondent Nos. 1 and 2 to the civil application. This allegation is disputed by the learned advocate for the respondent Nos. 1 and 2. He submits that the applicant had every opportunity to appear for the Postal D.Ed. Course after he was reinstated on 13.7.2004 as admissions were open at that point of time. He also submits that the applicant gave his proposal late and, therefore, it could not be forwarded to the authorities in time.

2. Admittedly, the Postal D.Ed. Course is for two years. Thus the applicant could have applied in 2005 and yet could have completed the course within three years from his reinstatement. An affidavit filed by the Co-ordinator, Maharashtra State Council of Educational Research and Training, Pune, shows that the Postal D.Ed. Course was not conducted in 2005 and 2006 and it was likely to be commenced within 7 to 8 months from the filing of the affidavit, for the year 2007-2008. The Government Resolution dated 24.5.2007 which is annexed to the affidavit so stipulates. The affidavit is dated 7th August, 2007. Thus, in all probability, the admissions would be open for the Postal D.Ed. Course by the end of this year.

3. The applicant shall apply for admission to the

Postal D.Ed. Course in accordance with the Rules, once the Course is open for the year 2007-2008. The 1st and 2nd respondent will act immediately on the proposal which may be sent by the applicant so that he can appear for the Course for the year 2007-2008. In the event the Government fails to conduct the Course for this year, then the applicant will apply to the Course at the first available opportunity i.e. immediately on admissions being invited for the Postal D.Ed. Course hereafter.

4. The services of the applicant will continue as before.

5. Civil application disposed of.

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